

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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COMMUNITY HOUSING IMPROVEMENT  
PROGRAM, RENT STABILIZATION ASSOCIATION  
OF N.Y.C., INC., CONSTANCE NUGENT-MILLER,  
MYCAK ASSOCIATES LLC, VERMYCK LLC, M&G  
MYCAK LLC, CINDY REALTY LLC, DANIELLE  
REALTY LLC, FOREST REATLTY, LLC,

19-cv-04087 (MKB)

Plaintiffs,

- against -

CITY OF NEW YORK, RENT GUIDELINES BOARD,  
DAVID REISS, CECILIA JOZA, ALEX SCHWARZ,  
GERMAN TEJEDA, MAY YU, PATTI STONE, J.  
SCOTT WALSH, LEAH GOODRIDGE, AND SHEILA  
GARCIA, IN THEIR OFFICIAL CAPACITIES AS  
CHAIR AND MEMBERS, RESPECTIVELY, OF THE  
RENT GUIDELINES BOARD, AND RUTHANNE  
VISNAUSKAS, IN HER OFFICIAL CAPACITY AS  
COMMISSIONER OF NEW YORK STATE HOMES  
AND COMMUNITY RENEWAL, DIVISION OF  
HOUSING AND COMMUNITY RENEWAL,

Defendants.

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**DECLARATION OF RACHEL K. MOSTON IN SUPPORT OF CITY DEFENDANTS’  
MOTION TO DISMISS THE COMPLAINT**

**RACHEL K. MOSTON** declares under the penalty of perjury, pursuant to 28  
U.S.C. §1746, as follows:

1. I am an Assistant Corporation Counsel in the office of GEORGIA M.  
PESTANA, Acting Corporation Counsel of the City of New York, attorney for Defendants, the  
City of New York (“City”), the New York City Rent Guidelines Board (“RGB”), David Reiss,  
Cecelia Joza, Alex Schwarz, German Tejeda, May Yu, Patti Stone, J. Scott Walsh, Leah

Goodridge, and Sheila Garcia, in their official capacities as Chair and Members of the RGB (collectively, City Defendants”) in the above-referenced matter.

2. I submit this declaration to put the following document on the Record of City Defendants’ Motion to Dismiss the Complaint:

- A copy of Plaintiffs’ Complaint in this matter is provided as Exhibit A;
- A copy of the 2017 Housing Vacancy Survey (or “HVS”) is provided as Exhibit B;
- Relevant portions of the legislative record from the New York City Council’s 2018 declaration of a housing emergency are annexed hereto, collectively, as Exhibit C.

Dated: New York, New York  
November 1, 2019

/s/

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Rachel K. Moston